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*Receipt*  
Patent  
267/242



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

**Heller, Michael**

**Serial No.: 09/997,374**

Filed: November 29, 2001

For: HYBRIDIZATION OF  
POLYNUCLEOTIDES CONJUGATED  
WITH CHROMOPHORES AND  
FLUOROPHORES TO GENERATE  
DONOR-TO-DONOR ENERGY  
TRANSFER SYSTEM

)  
) Group Art Unit: 1655

)  
) Examiner: Not yet assigned

TECH CENTER 1600/2900

JUN 18 2002

RECEIVED

**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant herein requests a corrected filing receipt for the above-identified patent application.

The Filing Receipt for the above application (copy enclosed) is incorrect in that it misstates the statement of priority. The correct "Continuing Data as Claimed by Applicant" should read:

THIS APPLICATION IS A CON OF 09/724,753 11/28/2000  
WHICH IS A CON OF 09/123,638 07/28/1998 PAT 6,162,603

OC-110411.1

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

\_\_\_\_\_  
May 21, 2002  
Date of Deposit

\_\_\_\_\_  
Mary L. Smith  
Name of Person Mailing Paper

\_\_\_\_\_  
Signature of Person Mailing Paper

WHICH IS A CON OF 08/703,601 08/23/1996 PAT 5,849,489  
WHICH IS A CON OF 08/232,233 05/05/1994 PAT 5,565,322  
WHICH IS A CON OF PCT/US92/09827 11/06/1992  
WHICH IS A CIP OF 07/790,262 11/07/1991 ABN

Applicants note that the statement of priority as originally filed inadvertently omitted reference to the great-grandparent application, serial no. 08/703,601, filed on August 23, 1996, now U.S. Patent No. 5,849,489. The priority claim has been corrected by amendment of even date herewith. Therefore, applicants respectfully request the issuance of a corrected filing receipt.

Respectfully submitted,

LYON & LYON LLP

Dated: 5/20/2002

By: John Kappos  
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
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WASHINGTON, D.C. 20231  
WWW.USPTO.GOV

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/997,374	11/29/2001	1655	406	267/242	4	24	2

22249  
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LOS ANGELES, CA 90071

JUN 18 2002

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CONFIRMATION NO. 4021

UPDATED FILING RECEIPT



\*OC000000007809139\*

Date Mailed: 04/08/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

Michael J. Heller, Encinitas, CA;

**Assignment For Published Patent Application**

Nanogen, Inc., San Diego, CA;

**Domestic Priority data as claimed by applicant**

THIS APPLICATION IS A CON OF 09/724,753 11/28/2000

WHICH IS A CON OF 09/123,638 07/28/1998 PAT 6,162,603

WHICH IS A CON OF 08/232,233 05/05/1994 PAT 5,565,322

WHICH IS A 371 OF PCT/US92/09827 11/06/1992

WHICH IS A CIP OF 08/250,951 05/27/1994 PAT

WHICH IS A CON OF 07/790,262 11/07/1991 ABN

Which is a CON OF 08/703,601 08/23/1994  
PAT 5,849,489

CON

CIP

**Foreign Applications**

If Required, Foreign Filing License Granted 02/13/2002

Projected Publication Date: 07/18/2002

Non-Publication Request: No

Early Publication Request: No

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APR 12 2002

US PROSECUTION

**Title**

Hybridization of polynucleotides conjugated with chromophores and fluorophores to generate donor-to-donor energy transfer system

**Preliminary Class**

435

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Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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